

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

UNITED STATES OF AMERICA

V.

CRIMINAL NO. 5:03CR9BrSu-001

JAMAR SMITH

AGREED ORDER REDUCING SENTENCE

The Court considers this case pursuant to its authority under 18 U.S.C. § 3582(c)(2) and Federal Rule of Criminal Procedure 43(b)(4). The U.S. Sentencing Commission has reduced guideline offense levels for cocaine base cases, and has made the reductions retroactive to previously-sentenced defendants. The parties agree that a sentencing reduction is appropriate in this case. The Court concurs, and hereby ORDERS as follows:

- (1) The guideline offense level in this case is reduced from 93 to 73 months;
- (2) Defendant's projected release date is November 4, 2009; with his 23 month reduction, he should be entitled to immediate release.
- (3) If this sentence is less than the amount of time the defendant has served, Defendant's sentence is reduced to **TIME SERVED**.
- (4) All other terms and provisions of the original judgment remain in effect.

A copy of this agreed order shall be transmitted to the Bureau of Prisons immediately.

SO ORDERED on this the 23rd day of April, 2008.

s/ David Bramlette
UNITED STATES DISTRICT COURT JUDGE

AGREED:

/s/ Sandra G. Moses
ASSISTANT U.S. ATTORNEY

/s/ George L. Lucas
DEFENSE COUNSEL

